

(A) by striking "Export Administration Act of 1979" the first place it appears and inserting "Export Administration Act of 2001"; and

(B) by striking "Act of 1979" and inserting "Act of 2001";

(3) Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(A) in paragraph (1)(B), by inserting "or section 310 of the Export Administration Act of 2001" after "Act of 1979"; and

(B) in paragraph (2), by inserting "or 310 of the Export Administration Act of 2001" after "6(j) of the Export Administration Act of 1979".

(4) Section 40(e)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2712(e)(1)) is amended by striking "section 6(j)(1) of the Export Administration Act of 1979" and inserting "section 310 of the Export Administration Act of 2001".

(5) Section 205(d)(4)(B) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 305(d)(4)(B)) is amended by striking "section 6(j) of the Export Administration Act of 1979" and inserting "section 310 of the Export Administration Act of 2001".

(6) Section 110 of the International Security and Development Cooperation Act of 1980 (22 U.S.C. 2778a) is amended by striking "Act of 1979" and inserting "Act of 2001".

(7) Section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)) is amended by striking "section 5 of the Export Administration Act of 1979, or under section 6 of such Act to the extent that such controls promote the nonproliferation or antiterrorism policies of the United States" and inserting "the Export Administration Act of 2001".

(8) Section 1605(a)(7)(A) of title 28, United States Code, is amended by striking "section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j))" and inserting "section 310 of the Export Administration Act of 2001".

(9) Section 2332d(a) of title 18, United States Code, is amended by striking "section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405)" and inserting "section 310 of the Export Administration Act of 2001".

(10) Section 620H(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378(a)(1)) is amended by striking "section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j))" and inserting "section 310 of the Export Administration Act of 2001".

(11) Section 1621(a) of the International Financial Institutions Act (22 U.S.C. 262p-4q(a)) is amended by striking "section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j))" and inserting "section 310 of the Export Administration Act of 2001".

(12) Section 1956(c)(7)(D) of title 18, United States Code, is amended by striking "section 11 (relating to violations) of the Export Administration Act of 1979" and inserting "section 503 (relating to penalties) of the Export Administration Act of 2001".

(13) Section 904(2)(B) of the Trade Sanctions Reform and Export Enhancement Act of 2000 is amended by striking "Export Administration Act of 1979" and inserting "Export Administration Act of 2001".

(14) Section 983(i)(2) of title 18, United States Code (as added by Public Law 106-185), is amended—

(A) by striking the "or" at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting "; or"; and

(C) by inserting the following new subparagraph:

"(F) the Export Administration Act of 2001.".

(j) CIVIL AIRCRAFT EQUIPMENT.—Notwithstanding any other provision of law, any product that is standard equipment, certified by the Federal Aviation Administration, in civil aircraft, and is an integral part of such aircraft, shall be subject to export control only under this Act. Any such product shall not be subject to controls under section 38(b)(2) of the Arms Export Control Act (22 U.S.C. 2778(b)).

(k) CIVIL AIRCRAFT SAFETY.—Notwithstanding any other provision of law, the Secretary may authorize, on a case-by-case basis, exports and reexports of civil aircraft equipment and technology that are necessary for compliance with flight safety requirements for commercial passenger aircraft. Flight safety requirements are defined as airworthiness directives issued by the Federal Aviation Administration (FAA) or equipment manufacturers' maintenance instructions or bulletins approved or accepted by the FAA for the continued airworthiness of the manufacturers' products.

(l) REPEAL OF CERTAIN EXPORT CONTROLS.—Subtitle B of title XII of division A of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is repealed.

SEC. 703. SAVINGS PROVISIONS.

(a) IN GENERAL.—All delegations, rules, regulations, orders, determinations, licenses, or other forms of administrative action which have been made, issued, conducted, or allowed to become effective under—

(1) the Export Control Act of 1949, the Export Administration Act of 1969, the Export Administration Act of 1979, or the International Emergency Economic Powers Act when invoked to maintain and continue the Export Administration regulations, or

(2) those provisions of the Arms Export Control Act which are amended by section 702,

and are in effect on the date of enactment of this Act, shall continue in effect according to their terms until modified, superseded, set aside, or revoked under this Act or the Arms Export Control Act.

(b) ADMINISTRATIVE AND JUDICIAL PROCEEDINGS.—

(1) EXPORT ADMINISTRATION ACT.—This Act shall not affect any administrative or judicial proceedings commenced or any application for a license made, under the Export Administration Act of 1979 or pursuant to Executive Order 12924, which is pending at the time this Act takes effect. Any such proceedings, and any action on such application, shall continue under the Export Administration Act of 1979 as if that Act had not been repealed.

(2) OTHER PROVISIONS OF LAW.—This Act shall not affect any administrative or judicial proceeding commenced or any application for a license made, under those provisions of the Arms Export Control Act which are amended by section 702, if such proceeding or application is pending at the time this Act takes effect. Any such proceeding, and any action on such application, shall continue under those provisions as if those provisions had not been amended by section 702.

(c) TREATMENT OF CERTAIN DETERMINATIONS.—Any determination with respect to the government of a foreign country under section 6(j) of the Export Administration Act of 1979, or Executive Order 12924, that is in effect on the day before the date of enact-

ment of this Act, shall, for purposes of this title or any other provision of law, be deemed to be made under section 310 of this Act until superseded by a determination under such section 310.

(d) LAWFUL INTELLIGENCE ACTIVITIES.—The prohibitions otherwise applicable under this Act do not apply with respect to any transaction subject to the reporting requirements of title V of the National Security Act of 1947. Notwithstanding any other provision of this Act, nothing shall affect the responsibilities and authorities of the Director of Central Intelligence under section 103 of the National Security Act of 1947.

(e) IMPLEMENTATION.—The Secretary shall make any revisions to the Export Administration regulations required by this Act no later than 180 days after the date of enactment of this Act.

Mr. SARBANES. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. SARBANES. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for not to exceed 15 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming.

EXPORT ADMINISTRATION ACT

Mr. ENZI. Mr. President, what I would like to do is take some time, because I did not have an opportunity just before the vote, to thank all the people who worked on and participated in this bill that we have just completed, and that includes the people who are both for the bill and against the bill. Everybody made a contribution on this one.

As I mentioned before, all 100 Senators are interested in national security—deeply interested, deathly interested in national security. That has been demonstrated by the work that has been put in on this bill. They are also extremely interested that the economy of the country advance. We just passed a bill that will allow both of those things to happen, and happen safely.

We have been without the kind of a bill that we have needed for a long period of time. We just passed one that is considerably better than what we had in place, and is even better than the

1979 act when it was extended. So we are in a position now where we can go, with some real credibility, to the House side to ask them to move the bill forward and to join with the White House in getting this passed quickly, as the White House asked. And, of course, we will be asking for all the people who have an interest in this bill to also help work on the House side. We know they will take quick action and that we will get this huge problem to the United States solved.

I would like to particularly thank those people who have worked closely on the bill. I will start with Senator GRAMM, who allowed me to be the subcommittee chairman and get this assignment.

I have to tell you, when I first got the assignment, I thought, this has failed about 12 times so I assume this is one of those tasks that freshman Senators get. I didn't expect much to happen on it, but we began the process of learning about it, and the Cox commission report came out. Of course, it was just a secret report at first, but it still got publicity that brought to the attention of the American people the problem of secrets being stolen from the United States.

That raised the level of this bill so that I and Senator JOHNSON of South Dakota could work through our subcommittee to really find out what was happening with it, to see how those things in the Cox commission and other reports, as they came out, fit into this bill. We put them into that bill, worked together to find solutions, met—"interminably" might not be the right word, but it feels like the right word sometimes—with a number of groups and anybody who was interested in the bill and worked hard to heighten the interest of those people in the bill.

Fortunately, Senator JOHNSON and I got to work under the direction of Senator GRAMM and Senator SARBANES, two vastly different personalities with different ways of working. I have to say that working under those two people on any piece of legislation is an education. They are very considerate in everything they do. They both study it to a very deep knowledge. They ask penetrating questions, and they have that ability and sense of when to move forward and when to hold back. Particularly when you have the combination of Senator SARBANES and Senator GRAMM, you have these two personalities that cover all aspects of the spectrum of dealing with people.

Of course, with both of them, you have vast years of knowledge of doing this kind of work, which is different than any other job I think anybody can have.

They recognize the ways to work with people and the mechanisms to do it and have just been tremendous in guidance as we have gone through this.

I would be real remiss if I did not place some special thanks on all of the

staff people who worked on this. Again, staff do a lot of the preparation, a lot of the study. They do meetings among themselves and then bring the results of those meetings to us for resolution. There were some real experts involved in this, people who really know how to network. And I would be surprised if there has been any other bill that had the kind of trust between staff and between Senators that this bill has had.

We worked on it for a long time. Of course, that built up the trust as we slowly got to the point where we had a draft to put through.

During that time, we did find out that it was an issue that affected everybody in the country. So then, of course, it affects both sides of the aisle. This is one of those examples of bipartisan effort. It results in a bipartisan vote and gives us some real strength as we continue this process.

Again, I thank my fellow Senator, Mr. JOHNSON, for his efforts on this bill and all of the different presentations we had to give over the course of time to different groups as we got them to buy in. Everybody had to come to the middle on this one because previous efforts had gone too far in one direction or the other. As a result, it picked up a majority in opposition.

One thing about passing a bill is that to pass it, you have to get it through all of the different steps. A "no" vote at any one of those steps kind of stops it dead in its tracks and sends you back to ground zero.

We are at the halfway point on this one now. We have gotten it through several votes successfully. It is much easier sometimes to create confusion and pick up the votes on the other side. I appreciate the Senators who helped to promote and to clarify this. Again, the clarification came from both sides.

Senator THOMPSON and Senator KYL particularly are to be congratulated for their tenacity at bringing up different points. You will find on the list of meetings that we put in that a lot of those meetings were with those two individuals. And as I mentioned numerous times, we put in 59 changes. One of the biggest changes, of course, is the override that the President has. We gave a trump to the President on everything in the bill.

We put in some new sections, and we said that the President has the right to set those aside in specific instances. It makes a huge difference in how this bill will work. It really will allow the limited resources that we have—and we are increasing those resources, but they are still limited—to concentrate on the worst situations and to make them better. That is what we are trying to achieve with the bill.

I would also like to thank the Majority Leader, Senator DASCHLE, for his strong support and willingness to bring the bill to the floor for debate. Senator REID was also instrumental in negoti-

ating the bill to the floor for debate. His support and guidance was very much appreciated.

Again, I thank everybody who worked on the bill. I particularly appreciate all of the hours Senator SARBANES has spent on the floor this week, not only in debate, in clarifying things, which showed his vast depth of knowledge of the bill, but particularly with the administrative work he did as he helped to get people together who needed to talk about different parts of this bill. His steady hand certainly played a big role in the kind of vote we received.

I again thank everybody who worked on the bill and congratulate everybody who worked on the bill. That is both those who were for and those who were against. We will see everybody on the House side.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, we are in morning business?

THE PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. Will the Senator from Kentucky yield for a unanimous consent request?

Mr. McCONNELL. I yield for that purpose.

Mr. DORGAN. I understand the Senator from Kentucky and the Senator from California, Mrs. FEINSTEIN, are going to seek recognition. I ask unanimous consent that I be recognized in morning business for 15 minutes following their presentation.

THE PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kentucky.

(The remarks of Mr. McCONNELL and Mrs. FEINSTEIN pertaining to the introduction of S. 1409 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

THE PRESIDING OFFICER. The Senator from North Dakota.

Mr. REID. Will the Senator yield for a brief statement?

Mr. DORGAN. Of course, I will be happy to yield.

Mr. REID. Mr. President, on behalf of Senator DASCHLE, there will be no more votes tonight. The majority leader indicated in the morning he is going to move forward on some legislation. It is not for sure what it is. We are hopeful we will move to an appropriations bill. Senator DASCHLE has an important meeting tonight to see if that can be done. Senator DASCHLE asked I advise everyone there is a possibility of votes in the morning. Everyone should be prepared in that regard. There will be no more votes tonight.

THE PRESIDING OFFICER. The Senator from North Dakota.